

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KAWS, INC.,
:

Plaintiffs,
:

v.
:

THE INDIVIDUALS, CORPORATIONS,
LIMITED LIABILITY COMPANIES,
PARTNERSHIPS, AND UNINCORPORATED
ASSOCIATIONS IDENTIFIED ON SCHEDULE
A TO THE COMPLAINT,
:

Defendants.
:
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AMENDED ORDER

22 Civ. 6721 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

This order amends my prior order, dated September 16, 2022, (ECF No. 33) and now provides that the security bond be released “to the Plaintiff.”

For the reasons stated on the record on September 15, 2022, I held that Plaintiff failed to meet its burden of establishing a likelihood of success on the merits of its copyright and trademark infringement claims against each of the 160 named Defendants, named and identified on Schedule A to the Complaint. I denied the motion for preliminary injunction.

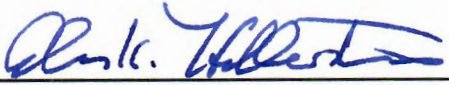
In addition, a representation was made that settlement had been reached with Defendants #73 (bears2636), #146 (Joybuy), #147 (Joybuy America), #148 (Joybuy Express), #149 (Joybuy Fashion), and #150 (Joybuy Selection) as identified on Schedule A to the complaint. Pursuant to Plaintiff’s motion and under Rule 41(a), the case against those Defendants is dismissed without prejudice.

Having denied the motion for preliminary injunction, the Temporary Restraining Order issued on August 19, 2022, and extended on August 30, 2022, is dissolved, and the bond of \$5,000 placed as security shall be returned to the Plaintiff. And in the light of the dismissal,

Plaintiff shall file an amended complaint removing the dismissed Defendants from Schedule A by November 27, 2022.

SO ORDERED.

Dated: September 19, 2022
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge